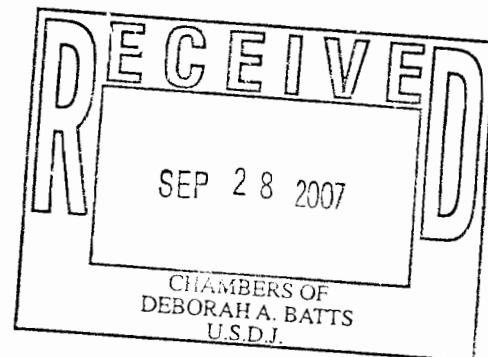


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September 27, 2007

**VIA HAND DELIVERY**

The Honorable Deborah A. Batts  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Rivera et al. v. The City of New York et al.  
07 Civ. 5999 (DAB)

Dear Judge Batts:

I am the Senior Counsel with the Office of the Corporation Counsel assigned to the defense in the above-referenced matter in which plaintiffs allege that they were falsely arrested, maliciously prosecuted, and their premises unlawfully searched. On July 26, 2007 this Court granted defendant City's application for a sixty (60) day extension of time to answer or otherwise respond to the complaint. Pursuant to that Court Order, the City's response is due on September 28, 2007. Defendant City sought this extension of time in order to investigate the numerous allegations made by each of the six plaintiffs by obtaining documents relating to their alleged arrests and criminal prosecutions which are sealed as a matter of law pursuant to CPL § 160.50.

On three separate occasions, this office sent plaintiffs' counsel unsealing authorizations for each plaintiff to execute so that defendant City can obtain the necessary underlying records. To date, plaintiffs have failed to return the executed releases to defendant City. Thus, defendant City has been precluded from investigating the allegations and is unable to answer the complaint in good faith at this time.

Defendant City respectfully requests additional time in which to respond to the complaint. Specifically, defendant City requests that it be permitted to respond to the complaint forty-five (45) days after it receives executed unsealing authorizations from all plaintiffs. Plaintiffs' counsel consents to this request. This is defendant's request for an extension of time to respond to the complaint.

**SO ORDERED**

*Deborah A. Batts*

DEBORAH A. BATTS  
UNITED STATES DISTRICT JUDGE

MEMO ENDORSED

MEMO ENDORSED

MEMO ENDORSED

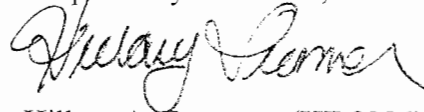
17AB/  
GRANTED  
Oct. 3, 2007

MEMO ENDORSED

MEMO ENDORSED

Thank you for your consideration in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Hillary A. Frommer". The signature is fluid and cursive, with the first name "Hillary" being more prominent.

Hillary A. Frommer (HF 9286)  
Senior Counsel

cc: Peter R. Shipman, Esq. (via facsimile)